

1 Introduced May 11, 2021, by Councilman  
2 Tamborella, seconded by Councilwoman  
3 Denham, (by request of Administration)

4 **Item No. 21-05-3373**

5 **ORDINANCE NO. 4031**

6  
7  
8 An ordinance authorizing the City of Slidell's acceptance, subject to certain  
9 conditions precedent, of ownership interests of the State of Louisiana in and to a certain  
10 portion of state route LA 1091 (known as Robert Boulevard) and to authorize action on  
11 ancillary matters in connection therewith.

12 WHEREAS, Louisiana Constitution, Article 7, Section 14(C) provides that, "For  
13 a public purpose, the state and its political subdivisions or political corporations may  
14 engage in cooperative endeavors with each other . . ."; and  
15  
16

17 WHEREAS, Louisiana Revised Statute 48:224.1 provides for a process by  
18 which the State of Louisiana may transfer or exchange a road on the state highway system  
19 to a municipality; and  
20  
21

22 WHEREAS, Section 2-10 of the City's Home Rule Charter requires the City  
23 Council to adopt an ordinance to acquire real property on behalf of the City; and  
24  
25

26 WHEREAS, the State of Louisiana, through the Department of Transportation  
27 and Development, as part of its "Road Transfer Program", has conveyed to the City its  
28 desire to transfer certain ownership rights it has in and to a portion of state route LA 1091  
29 (known as Robert Boulevard) to the City of Slidell, and the City is desirous of authorizing  
30 the acceptance of same under the mutually agreeable terms set forth herein; and  
31  
32

33 WHEREAS, the City has received approval from a majority of the state  
34 legislative delegation of St. Tammany Parish for the actions contemplated herein.  
35  
36

37 NOW THEREFORE, BE IT ORDAINED by the Slidell City Council as follows:  
38  
39

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4 Subject to the conditions set forth below, the City of Slidell agrees to accept  
5 ownership of whatever rights the State of Louisiana, acting through the Department of  
6 Transportation and Development (“DOTD” or “Department”), may own, with the exception  
7 of any and all mineral rights, in and to the following described property:  
8

9 The portion of state route LA 1091 (known as Robert Boulevard) from its  
10 southwest junction with state route US 190 (known as Gause Boulevard)  
11 proceeding northeast approximately 2.18 mile to the approach slab adjacent  
12 to the most southwesterly span of the interstate I-12 overpass bridge,  
13 inclusive of the traffic signals at the intersection of state route LA 1091  
14 (known as Robert Boulevard) with the local road known as Independence  
15 Drive and at the intersection of state route LA 1091 (known as Robert  
16 Boulevard) with the local road known as North Boulevard / Audubon Drive.  
17

18 (hereinafter, the “Property”; shown on the map attached hereto as Exhibit A), including  
19 acceptance of all post-transfer rights, obligations, and liabilities concerning the Property,  
20 including, but not limited to, all post-transfer operation, maintenance, and repairs  
21 associated therewith, for the Property’s operation and maintenance as a City street.  
22

23 **BE IT FURTHER ORDAINED** by the Slidell City Council as follows:  
24

25 The above acceptance by the City of Slidell is subject to the fulfillment by  
26 DOTD of the following conditions precedent concerning the Property:  
27

- 28 • **CONDITION I:** Repairs will be provided to include patching, cleaning, resealing of  
29 joints and cracks in the jointed Portland-cement concrete pavement, surface  
30 treatment to the asphaltic concrete pavement, and striping the repaired pavement  
31 for the Property. Improvements will be provided to sidewalks as required and  
32 wheelchair ramps will be installed as needed to comply with the requirements of the  
33 Americans with Disabilities Act (ADA). DOTD will investigate the state drainage  
34 system within the state route LA 1091 right-of-way, report to the City on same, and  
35 will repair at DOTD’s sole discretion prior to transfer to the City. In lieu of the  
36 aforementioned activities, the City, acting through the presiding Mayor, may agree  
37 to accept from DOTD additional road transfer credits beyond those set forth in  
38 Condition II, to be utilized as contemplated in Condition II.  
39

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- 5 • **CONDITION II:** Provide the City with \$1,859,181.96 in road transfer credits for the  
6 Property to be transferred, to be applied to roadway projects mutually agreed upon  
7 by the City, acting through the presiding Mayor, and DOTD, in an Intergovernmental  
8 Cooperative Endeavor Agreement.

9  
10 In no event shall the road transfer credits be applied to a project to which DOTD has  
11 not consented.

12 [The amount of road transfer credits to be provided under this condition is  
13 calculated pursuant to a present worth 40-year maintenance valuation whereby  
14 DOTD determines the cost of maintaining the road in the state highway system for  
15 40 years from the present date]

16  
17 **BE IT FURTHER ORDAINED** by the Slidell City Council as follows:

- 18  
19 1. Any portion of the Property may be transferred to the City in its current  
20 condition prior to satisfaction of the relevant condition(s) stated hereinabove,  
21 if mutually agreed in writing by the City, acting through its presiding Mayor,  
22 and the State of Louisiana, acting through DOTD. In no case shall such  
23 transfer relieve DOTD from responsibility to comply with the relevant  
24 condition(s) stated hereinabove post-transfer; and
- 25  
26 2. The presiding Mayor of the City of Slidell is authorized to execute an  
27 Intergovernmental Cooperative Endeavor Agreement between DOTD and  
28 the City, along with any necessary or advisable amendments or modifications  
29 thereto, memorializing the agreement between the parties relative to the  
30 transfer of the Property; and
- 31  
32 3. To facilitate the use of the road transfer credits as contemplated herein, the  
33 presiding Mayor of the City of Slidell is authorized to consent to the  
34 assignment of temporary control sections by DOTD for relevant projects and  
35 to take all necessary action in connection therewith, subject to the execution  
36 and recordation by DOTD of a return act of transfer in favor of the City after  
37 the completion of each such project. Additionally, the presiding Mayor is  
38 authorized to agree to the application of road transfer credits for eligible  
39 additional projects for the City if consented to by DOTD; and

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- 4 4. The presiding Mayor of the City of Slidell is authorized to execute any and all  
5 documents necessary to effect the transfer of the Property to the City at the  
6 proper time; and  
7  
8 5. This ordinance shall take effect immediately upon adoption.  
9

10 **ADOPTED** this 8th day of June, 2021.  
11

12 

13 Kenny Tamborella  
14 President of the Council  
15 Councilman, District E  
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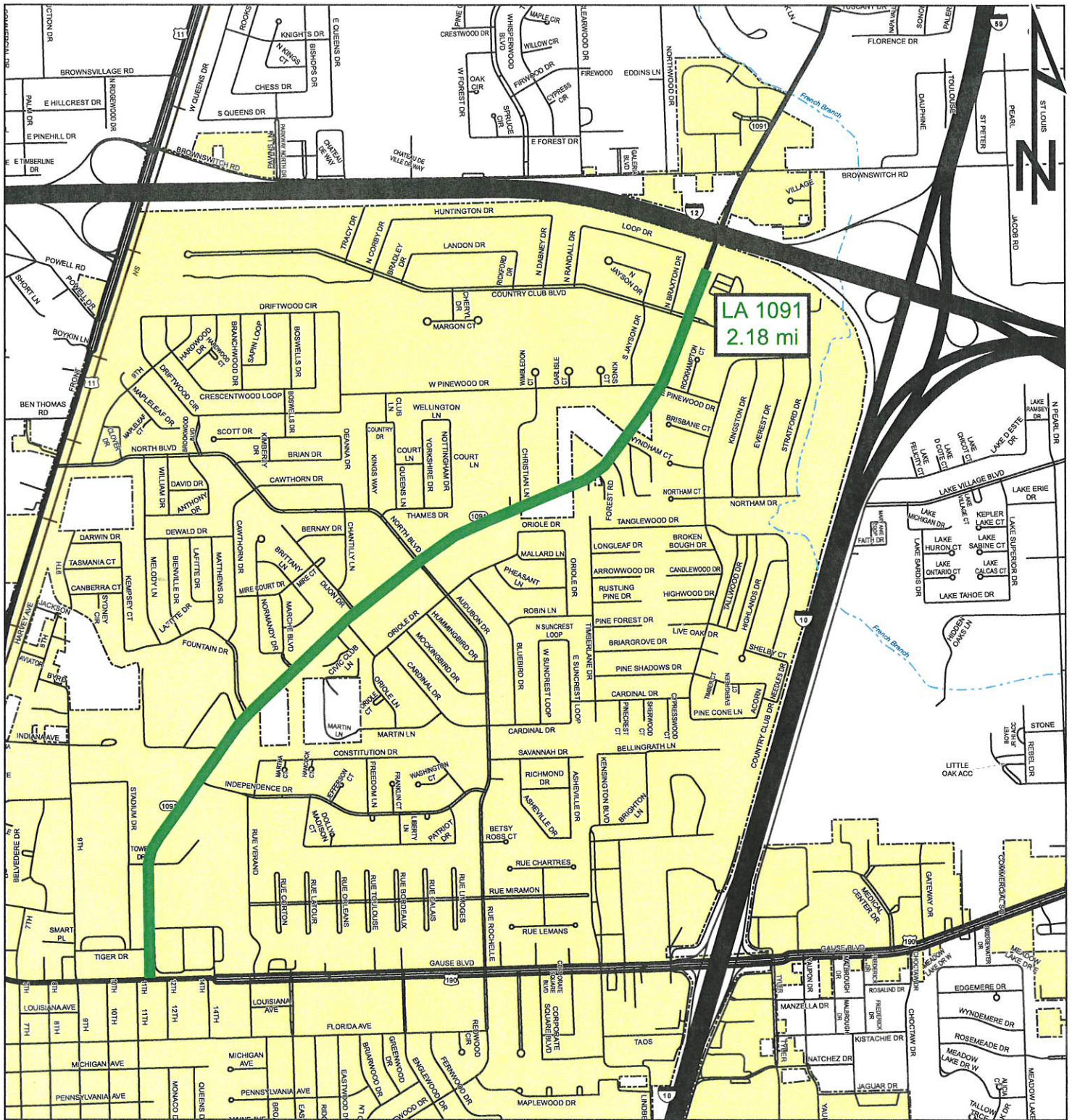
17 

18 Greg Cromer  
19 Mayor  
20

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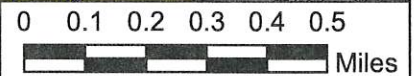
22 Thomas P. Reeves  
23 Council Administrator  
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DELIVERED	6/10/21
	12:30 pm to the Mayor
RECEIVED	6/15/21
	ant Tam from the Mayor



**LOCATION MAP  
ST TAMMANY PARISH  
CITY OF SLIDELL**

**LA 1091  
(CS 852-25)**



**LOUISIANA DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT**  
**EXHIBIT A**